

Remarks

As a preliminary matter, Applicant wishes to inform the examiner that Applicant has copending applications US applications of 11/221,026 and US 11/221,123, the former also handled by the examiner.

Claims 1-20 are pending. Claims 10 and 13-20 are withdrawn.

Claim 1 has been amended to recite "wherein the conjugated polymer comprises polar groups as solubilizing functionalities or pendant solubilizing groups linked to the conjugated polymer." Support for this amendment can be found on page 10, lines 10 – 17 of the specification.

The rejection of claims 1, 2, 4, and 6-8 as being rejected under 35 USC 102(a) as being anticipated by Huang et al, and claims 3, 5, 9, 11 and 12 under USC 103(a) as being unpatentable variously over Huang in view of Hsu or Yu, is respectfully traversed.

Applicant now wishes to establish their invention of the subject matter prior to the effective date of the reference (*i.e.* Huang scientific publication date of January 28, 2004).

A declaration under 37 CFR 1.131 signed by the inventors:

The inventors have signed a declaration (see **Exhibit 1**) attesting that to their knowledge and belief a copy of their invention disclosure (see **Exhibit 2**) was submitted to their University's Technology Transfer Office on December 8, 2003. Indeed, on page 5 of exhibit 2 Drs. Iyer and Liu actually signed the disclosures on December 2, 2003 and December 5, 2003, respectively. This suggests that the work (manuscript attached to the invention disclosure) was completed as early as December 2, 2003, if not earlier, which is prior to the Huang publication date of January 28, 2004. Accordingly, without having access to the Huang reference, the basis for the above 102 and 103(a) rejections are improper and the rejection should be withdrawn.

Some information in **Exhibit 2** relating to dates of conception has been redacted. It should also be noted that they the inventors attested that their work was performed in the US.

In view of the foregoing, applicant urges the examiner to reconsider the obviousness rejections.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-3881.

Dated July 15, 2011

Respectfully submitted,

By


Richard Y.M. Tun, Ph.D.
Registration No.: 56,594
BERLINER & ASSOCIATES
555 West Fifth Street, 31st Floor
Los Angeles, California 90013

(213) 533-4175 (Telephone)
(213) 533-4174 (Fax)